

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Banco Del Austro, S.A.,

Plaintiff,

Case No. 1:16-cv-00628 (LAK)

v.

Wells Fargo Bank, N.A.,

Defendant.

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**DECLARATION OF JOHN G. MARFOE, ESQ. IN SUPPORT OF PLAINTIFF BANCO  
DEL AUSTRO S.A.'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS  
FROM DEFENDANT WELLS FARGO BANK, N.A.**

I, JOHN G. MARFOE, hereby declare as follows:

1. I am an attorney at the law firm of WNL Law, P.L. – Waserstein Nunez & Foodman, counsel for the Plaintiff Banco Del Austro, S.A. I am admitted to practice in the State of New York and *pro hac vice* before this Court in the above-styled case.

2. In accordance with the Court's Individual Rules of Practice, "[a]ll exhibits to memoranda and other papers should be tabbed and indexed. A copy of the complaint should accompany the moving papers." In compliance with the foregoing rule, I declare the following:

- a. Attached as Exhibit "1" is a true and correct copy of the Complaint and incorporated exhibits in this action, as filed by Plaintiff Banco Del Austro, S.A.
- b. Attached as Exhibit "2" is a true and correct copy of Defendant Wells Fargo Bank's Responses and Objections to Plaintiff's First Request for Production of Documents, served on December 21, 2016.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: June 19, 2017.  
Miami, Florida

/s/ John Marfoe  
John G. Marfoe

**CERTIFICATE OF SERVICE**

I certify that on June 19, 2017, this document was served by transmission of a Notice of

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/s/ John Marfoe